

APPROVED: Meeting No. 41-89

ATTEST:

Shawn A. Dean

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 40-89

September 18, 1989

The Mayor and Council of Rockville, Maryland, convened in Public Hearing in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on September 18, 1989, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember Steve Abrams

Councilmember James Coyle
(arrived at 7:45 p.m.)

Councilmember Viola Hovsepian

Councilmember David Robbins

In attendance: City Manager Bruce Romer, City Attorney Paul Glasgow and Administrative Assistant to the City Manager Cheryl Lampkin.

Re: Status Report on Courthouse
Square Development and
authorization to amend
Disposition and Development
Agreement with Cornelius M.
Whalen.

Joseph Lynott, attorney for Cornelius Whalen, briefed the Mayor and Council on the current status of the development of the Town Center. Several factors have necessitated a request to extend the time for closing on the Disposition and Development Agreement and commencement of construction, i.e., the difficulties in securing favorable financing; pending litigation by Equitable which may cloud the title; acquisition of the First National Bank site; and a pending zoning text amendment application which would extend the provisions of an ownership plat to the TCM-1 and TCM-2 Zones. Mr. Lynott requested that the time be extended to no later than June 1, 1990.

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In response to Councilmember Abrams, Mr. Lynott clarified that Mr. Whalen's deposit of \$200,000 would vest with the City in the event Mr. Whalen is unable to proceed with the development; otherwise, the deposit will be applied to the purchase price.

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed by all those present (Councilmember Coyle having not yet arrived), the request by Mr. Whalen to extend the time for closing on the purchase of Parcels 2-N and 2-O and commencement of construction to no later than June 1, 1990 was approved, and the Mayor, on behalf of the Mayor and Council, was authorized to execute an amendment to the Disposition and Development Agreement in a form approved by the City Attorney to accomplish this extension.

Re: Public Hearing: Permit Parking
for the 5800 block of Ridgway
Avenue.

The Mayor and Council conducted a public hearing on Permit Parking for the 5800 block of Ridgway Avenue. The Mayor and Council heard all those persons as can be found in the official stenographic transcript. There being no other person wishing to be heard, the Mayor declared the hearing closed, with the record to be left open for two weeks until October 2, 1989.

Re: Public Hearing: Permit Parking
for the 100 block of South
Adams Street.

The Mayor and Council conducted a public hearing on Permit Parking on the 100 block of South Adams Street. The Mayor and Council heard all those persons as can be found in the official stenographic transcript. There being no other person wishing to be heard, the Mayor declared the hearing closed, with the record to be left open for two weeks until October 2, 1989.

Re: Public Hearing: Permit Parking
on the 1000 block of Grandin
Avenue.

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The Mayor and Council conducted a public hearing on Permit Parking on the 1000 block of Grandin Avenue. The Mayor and Council heard all those persons as can be found in the official stenographic transcript. There being no other person wishing to be heard, the Mayor declared the hearing closed, with the record to be left open for two weeks until October 2, 1989.

Re: Public Hearing: Resolution
to modify the Admissions and
Amusement Tax.

The Mayor and Council conducted a public hearing on a resolution to modify the admissions and amusement tax. The Mayor and Council heard all those persons as can be found in the official stenographic transcript. There being no other person wishing to be heard, the Mayor declared the hearing closed, with the record to be left open for two weeks until October 2, 1989.

Re: Public Hearing: Text Amendment
Application T-99-89, Mayor and
Council of Rockville,
Applicant.

The Mayor and Council conducted a public hearing on Zoning Text Amendment Application T-99-89. The Mayor and Council heard all those persons as can be found in the official stenographic transcript. There being no other person wishing to be heard, the Mayor declared the hearing closed, with the record to be left open for two weeks until October 2, 1989.

Re: Public Hearing: Annexation
Petition X-106-89, Joseph A.
Lynott, Attorney for SPI
Limited Partnership, Applicant.

The Mayor and Council conducted a public hearing on Annexation Petition X-106-89. The Mayor and Council heard all those persons as can be found in the official stenographic transcript. There being no other person wishing to be heard, the Mayor declared the hearing closed, with the record to be left open for two weeks until October 2, 1989.

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Re: Citizens' Forum

At this time, the Mayor opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Steve Fisher, 1014 Neal Drive, asked the Mayor and Council to consider the parking problem at the Lone Oak school site on Grandin Avenue which is a polling site for the City election on November 7.

2. Leah Barnett, 19 Orchard Way North, commented on the confusion at the intersection of Ritchie Parkway heading toward Potomac. With three different directional signs, cars tend to cut into the left lane from the center lane once they realize they are in the wrong lane. As a safety factor, she suggested that if this is a permanent situation there should be better signage.

Councilmember Abrams explained that the intersection is scheduled to be completed in November with better lane configurations. He suggested that an interim solution would be the installation of a blinking light, and staff will be following up in this matter.

There being no other citizen wishing to be heard, the Mayor closed the Citizens' Forum portion of the meeting.

Re: Worksession - Goals Task Force
Report on the Revised Goals
for the City of Rockville

Patrick Woodward, Chairperson of the Goals Task Force, reported that the Task Force had nothing further to add to the latest memorandum addressing concerns noted at the public hearing. Following discussion, the Mayor and Council agreed to the following changes/suggestions:

- o The Goals will be used to set priorities through the revised Master Plan;
- o A clause will be added that mentions Arts;
- o A statement will be added regarding religion; and

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- o The Task Force and staff will review the comments of the Housing Authority set forth in their letter of September 14, 1989.

Staff was requested to come back to the Mayor and Council with the recommended changes as well as a preamble to the report.

Mr. Woodward emphasized that the Mayor and Council should consider a regular review of the document to ensure that the recommendations are being implemented. The Mayor and Council noted that this would best be done through the budget documents inasmuch as many of the recommendations have budget implications.

Re: New Business

Councilmember Abrams stated that he had drop-in duty last Saturday and was involved in Recreation and Parks' decision to cancel the Music Fair. In view of the non-recoverable costs involved in events such as these, he emphasized the importance of a contingency plan.

Councilmember Robbins mentioned that he and Councilmember Hovsepian had attended the Second Genesis' 20th Anniversary last Wednesday, and that the treatment center is very appreciative of the City's assistance.

Mayor Duncan stated that he had attended Gaithersburg's Olde Towne Day on Sunday. He displayed a print of their City Hall which Gaithersburg presented as a gift to the City of Rockville and expressed his appreciation for the gift and the invitation to their celebration.

Councilmember Abrams mentioned that he had attended their morning activities and commented on their spectacular contributory park, "Constitution Park."

Councilmember Coyle commented that he and Councilmember Hovsepian had attended the Stepping Stones Shelter's Annual Meeting and that they acknowledged the support received by the City of Rockville.

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Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:43 p.m., to convene again in General Session at 7:30 p.m. on September 25, 1989, or at the call of the Mayor.